

FILED

OCT 02 2019

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WESTERN DISTRICT OF TEXAS
BY [Signature]
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

RICHARD ANGEL LONGORIA,

Defendant.

Cause No.:

SA 19 CR 07320G-
INDICTMENT

[Vio: **Count One:** 18 U.S.C. § 641,
Theft of Government Funds;

Count Two: 42 U.S.C. § 408(a)(4), Social
Security Disability Fraud

THE GRAND JURY CHARGES:

At all times material to this Indictment:

SOCIAL SECURITY

1. The federal Social Security Act was created for the purpose of establishing a system of federal benefits for citizens who are blind, disabled, retired, or otherwise in need of supplemental income assistance. The Social Security program is primarily managed by the Social Security Administration (SSA), which is an agency of the United States Government.
2. One benefit program administered by SSA is the Social Security Disability Insurance Benefits Program (DIB Program) – a component of Title II of the Social Security Act (Title 42, United States Code, § 401, et seq.).
3. The DIB Program makes monthly cash payments to individuals who are disabled and insured under the DIB Program. For an individual to be insured under the program (i.e., eligible to receive monthly payments under the DIB Program), SSA must determine that the applicant is medically “disabled,” meaning that he/she cannot work due to his/her medical disability. An

applicant must certify on an annual basis that they are not earning any income apart from their DIB Program payments, and agree to inform the SSA of any changes to their health condition.

DEFENDANT'S SOCIAL SECURITY FRAUD

4. At all times material to this indictment, RICHARD ANGEL LONGORIA (Defendant) was a resident of Floresville, Texas, within the Western District of Texas.
5. Defendant began receiving DIB payments in June of 2001. His claimed disabling conditions are listed as hypertension and back injuries. According to records submitted by the Defendant to the SSA, he continually certified that he was not capable of working, and that he had no employment income between 1997 and 2018. During this same time period, Defendant also did not notify SSA of any changes to his medical condition.
6. Beginning no later than January of 2010, Defendant was actually physically capable of working and earning income, and was in fact employed as a truck driver on a regular basis by a transportation company based in Floresville, Texas (the "company").
7. Defendant and the owners/operators of the company arranged to conceal the Defendant's receipt of wages for his employment, for the purpose of allowing Defendant to continue receiving DIB payments. This was accomplished by multiple methods, including not listing the Defendant as an employee of the company and not issuing the Defendant any tax forms.
8. Between on or about January 1, 2010, and on or about June 30, 2018, the SSA issued monthly DIB program payments to the Defendant, at the same time that he was actually employed as a truck driver with the company.
9. Upon being interviewed by agents with the Office of the Inspector General in June of 2018, Defendant admitted that he had knowingly and intentionally concealed his employment income so as to continue improperly receiving DIB Program benefits.

10. The SSA has calculated that Defendant received approximately Ninety-Four Thousand Dollars (\$94,000) in improper payments between January of 2010, and June of 2018.

COUNT ONE
[18 U.S.C. § 641]

11. The Grand Jury incorporates by reference paragraphs 1 through 10, set out above as though fully restated and re-alleged herein.

12. From on or about January 1, 2010, to on or about June 30, 2018, in the Western District of Texas, the Defendant,

RICHARD ANGEL LONGORIA

knowingly and willfully did steal and convert to his own personal use, goods and property of the United States, of a value exceeding One Thousand Dollars (\$1,000), to wit: disability benefits payments from the Social Security Administration, which he fraudulently obtained by concealing his work activity and income, in violation of Title 18, United States Code, Section 641.

COUNT TWO
[42 U.S.C. § 408(a)(4)]

13. The Grand Jury incorporates by reference paragraphs 1 through 10 set out above as though fully restated and re-alleged herein.

14. From on or about January 1, 2010, to on or about June 30, 2018, in the Western District of Texas, the Defendant,

RICHARD ANGEL LONGORIA

having knowledge of the occurrence of an event affecting his initial and continued right to receipt of SSA Title II Disability Insurance Benefits (DIB), concealed and failed to disclose such event with the intent to fraudulently secure payment in an amount greater than was due to him, and when no payment was authorized, to wit: the defendant intentionally concealed and failed to report to

SSA his work activities, income derived from his work activities, and any changes in his medical condition, for the purpose of causing SSA to make Title II DIB payments when the defendant was otherwise ineligible to receive such payments.

A TRUE BILL



FOREPERSON OF THE GRAND JURY

JOHN F. BASH
United States Attorney

By:


JUSTIN CHONG

Assistant United States Attorney